

RECEIPT

Department of Ecology (4610)
PO Box 47611
Olympia, WA 98504-7611
(360) 407-7095

Receipt Number
Manual Receipt

14CJ004819

Document Number **461S0374 CJ** Date **09/25/2013** FM 03

Remitter Name **STEWART TITLE OF KITTITAS COUNTY** Receipt Name

Check/Draw Number **16399**

Document Amount **30.00**

Method of Payment **Check**

Comment Description **WATER RIGHTS - G4-35621**

26.14 due
30.00 paid

REF NR	DOC NR	REF SFX	INV NR	ID NR	SUB ID NR	T	C	R	FUND	MAJ GRP	MAG SRC	SUB SRC	CNTY	WORK CLS	PIC	AI	ORG	PRJ	SUB PRJ	PRJ PHS	SUB OBJ	SUB SUB OBJ	VAR GL	SUB DR	SID CR	SID	ALLOC AMT
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Department of Ecology
SEP 25 2013
Water Resources Program



Water Bank: Teamaway

TRS: T20R16527

Applicant name: LT Ventures LLC WBN WRTS No. 621-35621

Checklist for Reviewing Requests for Determination of Water Budget Neutrality (RDWBN)

I. Does the rule apply?

- ☒ Is the well within the mapped Upper Kittitas area? X yes no
- ☒ Is proposed use either domestic, group domestic, lawn or noncommercial garden, municipal, stock watering, or industrial? (Circle all that apply)

II. Does the total proposed water use and purpose(s) fall under the limits of the groundwater permit exemption?

- ☒ Is this a group or non group use? (Circle one)
- ☒ If group use, number of parcels 2 of 7 (total # parcels in group) LT Ventures
- ☒ Does the owner have interest in any proximate parcel? X yes no Arnica Hills Plat
- ☒ Does the owner have significant, voluntary joint activity and cooperation with the owner of a proximate parcel? X yes no
- ☒ Exempt? X yes no
- ☒ Require Permit? (Check parcel map, County website, Well logs, SEPA documents, etc, as appropriate)
 yes X no

III. Is the necessary information provided in RDWBN per WAC 173-539A-050(2)

- ☒ Mitigation trust water rights identified? X yes no, TWR No. C84-01467011563a(A)
- ☒ Site map provided? X yes no
- ☒ Area to be irrigated provided: 0.023 acres
- ☒ Soil Report provided (if needed) yes no X n/a
- ☒ Provided signed covenant restricting trees/shrubs over drain field OR Sewer Utility agreement? (Circle one)
For parcel number: 20-16-27050-0001 & 20-16-27050-0002
- ☒ Is the Request signed? X yes no
- ☒ GW mitigation agreement provided: yes X no
- ☐ Other necessary information missing:

Group Use Reviewer: CG Date 6-5-13

IV. Executed agreement to designate a portion of a TWR provided and signed?

V. Is the TWR proposed for mitigation suitable for the applicant's proposal?

- ☐ Proposal complies with applicable TWR agreement ✓ yes no
- ☐ What is the suitability area for the subject Trust Water Right: green, red, or yellow?
- ☐ Is a USBR contract assignment required? ✓ yes no
- ☐ If yellow and a contract assignment is required, complete the ESA Consultation protocol and take to WTWG. Determine suitability based on HG analysis (check for related HG analysis and contact appropriate HG). If appropriate, fill out "Yellow Area Acquisition, Exchange and Storage Process" letter to send to USBR.
- ☐ If green and a contract assignment is required, fill out "Green Area Acquisition, Exchange and Storage Process" letter to send to USBR. WTWG already discussed green area Suncadia mitigation projects on March 8, 2010, so if this uses Lamb and Anderson mitigation, does not need to go to WTWG again.
- ☐ If other TWR provided by the applicant, is there any potential impact to surface water system upstream of the original TWR POD? If so, USBR contract assignment is required and needs to go to WTWG.

VI. Is the consumptive use as a result of the total proposed use equal to or less than the quantity of mitigation water offered per WAC 173-539A-060(2)(a)? ✓ yes no (Use the calculator and CU values from WAC 173-539A unless additional specific information is provided by the applicant)

VII. Has the RDWBN been provided to the Fish Group? yes no ✓ n/a Date ready for fish group:

- ☐ Create/include a pdf version of 1) the request, 2) a map, 3) draft WBN determination, and 4) draft HGmemo. And place these 4 pdfs in a new folder located in Sharepoint> WBN Templates and Tools>Fish group pdf's
- Fish group response:

VIII. Has the RDWBN been taken to WTWG? ✓ yes no If yes, date: 9-10-13 [date ready for WTWG:]
WTWG#: 2013-67; WTWG Response: see minutes

IX. ☒ Debit TWR (Accounting for * _ * mitigation.xlsx) and USBR-Ecology Contract Accounting spreadsheet

Reviewed by KW Recommendation: Approve ✓ Deny or Reject Date 9-10-13

**WATER BUDGET NEUTRALITY (WBN)
REVIEW ROUTER**

- ☒ **WBN DETERMINATION** Letter ☐ **WBN REPORT OF EXAMINATION**
☐ **WBN REJECT & RETURN** Letter ☐ **WBN DENIAL** Letter
☐ **AMENDED:** _____ ☒ **EXCHANGE CONTRACT** Assignment
☐ **Other:** _____

File No.: 64-35621
Author/Date: K Walker
SharePoint: >Water Right Documents> ☒

Dates drafted/edited (Admin): _____

GWIS mapping review (review changes **BEFORE** final)
GWIS initials/date: KLH 9/10/11
GWIS remarks & edits (if more room is needed use back of page):
See Shelly's questions on docs include.
OK

Sage Park
Operations Sup. (Initial/Date indicate **DRAFT ROE** is ready to post)

Stuart Luttrell
Technical Sup. (Initial/Date indicate **DRAFT ROE** is ready to post)

Mark Kemner Section Mgr
(Initial/Date) Indicates **DRAFT ROE** is ready to post

Email pdf to Chris Anderson, HQ to Post to Net: 9/11/13
(posted for 2 weeks)

Sage Park
Operations Sup (Initial/Date **FINAL ROE** is ready for Posting/Mailing)

Stuart Luttrell SLH 9/10/13
Technical Sup (Initial/Date **FINAL ROE** is ready for Posting/Mailing)

Mark Kemner Section Mgr MC 9/10/13
(Initial/Date) **FINAL ROE** is ready for Posting/Mailing

Email pdf to Chris Anderson, HQ to Post to Net: CRO-Admin
(posted for 60 days)

Date Doc mailed: 9-10-13
(Admn initial/date when doc is finalized & mailed)

☒ **Exchange Contract reviewed by:** MK
(Section Manager Initial/Date); Admin: **Send to USBR**

WRIA: 37 ☐
38 ☐
39 ☒ **COUNTY:** Benton ☐
Yakima ☒
Kittitas ☒

Remarks, Special Instructions, Related Files:

Please use Back of Page.

CC's (Check application signatures): If Certified check box

☒ **Trust Water Right Debited:** KW 9-10-13
Permit Writer (Initial and Date)
☒ **USBR-Ecology Contract Debited:** KW 9-10-13
Permit Writer (Initial and Date)

cc's & protestants (more room on back of page)

- ☒ Yakama Nation ☐ Suncadia, LLC
☐ Joe Mentor, Jr. (email: mentor@mentorlaw.com)
☐ Jessica Kuchan (email: kuchan@mentorlaw.com)
☐ Swift Water (email: gleasonproperties@comcast.com)
☐ Roth-Clennon (email: teroth@earthlink.net)
☒ Masterson (email: kmasterson@inlandwireless.com)
☒ James Rivard, Kittitas Co. Health Dept. (**1-9 Connections**)
(email: environmentalhealth@co.kittitas.wa.us)
☐ WA State DOH, Heather Cannon (**more than 9 Connections**)
(email: heather.cannon@doh.wa.gov)

Other: _____

Attachments:

- ☒ Your Right to Be Heard
☐ PTO appeal? No Your Right to Be Heard
☒ Water Measurement Requirements & Form 1
☐ Focus on Water Right Relinquishment (98-1812-WR)
☒ Advisory Letter (White)
☐ METHANE Advisory Letter (Blue)
☐ Other: _____

Comments/Notes may be made on back of page.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

September 10, 2013

William Ferry, USBR
Columbia-Cascades Area Office
1917 March Rd
Yakima WA 98901-2058

Re: Assignment of Trust Water Right to USBR-Ecology Contract

Dear Mr. Ferry:

Enclosed are two proposed assignments of trust water right to the USBR-Ecology Exchange Contract (Contract No. 09XX101700).

The attached sheets describe how the assignments meet the terms of the storage contract.

Please call me at (509) 454-4258 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Kemner", with a long horizontal flourish extending to the right.

Mark Kemner, LHG
Section Manager
Water Resources Program/CRO

MK:KW:ss
130911

Enclosures: Proposed Assignment (Exchange Contract)
Copy of Nos. G4-35620 and G4-35621

FILE COPY

Masterson Ranch "Yellow Area" Exchange Contract Assignment

LT Ventures LLC

WBN Request No. G4-35621

The Department of Ecology (Ecology) has determined the use of groundwater described below will be water budget neutral with respect to Total Water Supply Available (TWSA). The reach of the Yakima River affected by the groundwater appropriation can be mitigated by release of stored water from a U.S. Bureau of Reclamation (USBR) storage facility upstream from the affected reach. Supplemental consultation under Endangered Species Act (ESA) is, therefore, not required pursuant to Article 18.b of the contract.

1. The groundwater use that will be offset by the trust water right is for domestic supply and 0.023 acres of lawn and garden irrigation. The use of water will be located within the NE¼ of Section 27, T. 20 N., R. 16 E.W.M. (Parcel Nos. 949882 and 949883). The consumptive water use will be 0.143 acre-feet from April 1 through September 15, and 0.033 acre-feet from September 16 through October 31 (assignment period).
2. The trust water right (No. CS4-01467@11sb3a(A)) was placed into the Trust Water Right Program by Masterson Ranch.
3. The Trust Water Agreement between Ecology and Masterson Ranch can be found at the following website: <http://www.ecy.wa.gov/programs/wr/cro/mrwb.html>
4. Ecology assigns 0.033 acre-feet of Trust Water Right Certificate to the USBR-Ecology Exchange Contract (Contract No. 09XX101700). The term of the assignment is from September 9, 2013 to January 29, 2049.
5. The total payment for 36 years, based on the rate of \$22/ac-ft/yr in Article 15.a, is \$26.14.

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Restricted Delivery Fee (Endorsement Required)	
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Sent to LT Ventures LLC
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4®
64-35621

PS Form 3800, August 2006 See Reverse for Instructions

7010 0290 0000 7131 3280

mailed
 9-10-13

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>DUSTIN PIERCE</u></p> <p>C. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>LT VENTURES LLC ATTN: DUSTIN PIERCE 909 MARIAN DR CLE ELUM WA 98922-1419 WR/ss WBN Determination G4-35621 9-10-13</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>7010 0290 0000 7131 3280</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>			